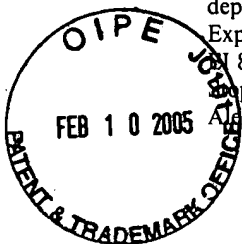


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, sufficient postage prepaid, Mail Label # 837 192 005 US in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2005.



Raymond W. Green
Registered Representative

Signature

Date of Signature: February 10, 2005

Case No. 8627/405

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kieran P.J. Murphy

Cook Case PA-5281

Serial No.: 09/594,685

Examiner: Eduardo C. Robert

Filed: June 16, 2000

Group Art Unit: 3732

For: APPARATUS FOR
STRENGTHENING
VERTEBRAL

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 15, 2004, of the Examiner finally rejecting Claims 1-23.

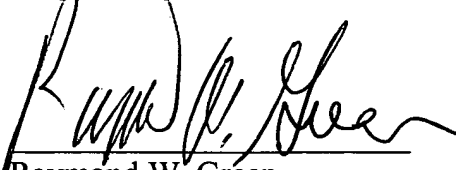
The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _____ for _____ month(s).

2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☐ Fee \$500.00 Other than a Small Entity
- ☐ Enclosed
- ☒ Not required (Fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Dated: February 10, 2005

Respectfully submitted,


Raymond W. Green
Registration No. 24,587
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
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CHICAGO, IL 60610
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